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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

U.S. EQUAL EMPLOYMENT
 OPPORTUNITY COMMISSION,

Plaintiff,

vs.

TESLA, INC.,

Defendant.

Case No.: 3:23-cv-04984-JSC

**DECLARATION OF KENA CADOR IN
 SUPPORT OF JOINT STIPULATION
 CONTINUING THE INITIAL CASE
 MANAGEMENT CONFERENCE AND
 INITIAL CASE DEADLINES**

I, Kena C. Cador, being of lawful age, declare under penalty of perjury, that the following statements are true and correct to the best of my knowledge:

1. I am a Trial Attorney at the United States Equal Employment Opportunity Commission (“EEOC”), in the San Francisco District Office, and I have personal knowledge of the facts set forth in this Declaration.
2. I submit this declaration in support of the Parties’ Joint Stipulation Continuing the Initial Case Management Conference and Initial Case Deadlines.
3. Plaintiff EEOC filed the Complaint in this matter on September 28, 2023. (ECF 1)
4. On October 2, 2023, the Court issued an Order Setting Initial Case Management Conference and ADR Deadlines (“Initial Case Management Order”). (ECF 7)

1 5. The Initial Case Management Order set December 19, 2023, as the deadline for the
2 parties to meet and confer regarding Rule 26(f), initial disclosures, early settlement, ADR process
3 selection and a discovery plan. (ECF 7)

4 6. Defendant Tesla waived service of Summons; therefore, Defendant's answer or
5 motion under Rule 12 is due within sixty days of October 26, 2023, i.e., no later than December 26,
6 2023. (ECF 11) *See also* Fed R. Civ. P. 12(a)(ii).

7 7. On December 13, 2023, the Clerk issued a notice rescheduling the Initial Case
8 Management Conference to January 11, 2024 (ECF 20), which shifted the Rule 26(f) and other meet
9 and confer deadlines to December 21, 2023.

10 8. On December 18, 2023, Defendant Tesla filed a Notice of Motion and Motion to Stay
11 All Proceedings and requested a hearing on February 1, 2024. (ECF. 22)

12 9. As of the filing of the Parties' Joint Stipulation, Defendant Tesla has not yet answered
13 the complaint and Defendant's Motion to Stay remains pending.

14 10. Based on the currently established deadlines, the Initial Case Management
15 Conference in this matter predates the hearing on a Motion to Stay, and the currently established
16 December 21, 2023 deadline is prior to the Defendant's deadline for filing and serving its answer.
17 (ECF 11)

18 11. The parties have conferred and believe there is good cause for the Court to vacate the
19 deadlines set by the initial case management orders and reset all initial case deadlines (excluding the
20 deadline for Defendant's response to the Complaint) after the Court rules on Defendant's Motion to
21 Stay. By its terms, Rule 26(f) contemplates that the parties to a lawsuit will understand the scope of
22 the claims and relief before meeting, which is not possible given Defendant's deadline to file its
23 response to the Complaint.

24 12. The parties further believe it would be more efficient for the court and the litigants to
25 postpone the Initial Case Management Conference and to reschedule it, if necessary, after the Court
26 has ruled on the Defendant's Motion to Stay, since a Case Management Conference will not be
27 necessary if the Court grants Defendant's Motion.

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1 I declare under penalty of perjury that the foregoing is true and correct. Signed on December
2 21, 2023, in San Francisco, California.

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4 /s/ Kena C. Cador
Kena C. Cador
5 EEOC Trial Attorney
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